Wayne E. Borgeest
Joan M. Gilbride
Robert A. Benjamin
KAUFMAN BORGEEST & RYAN LLP
200 Summit Lake Dr
Valhalla, New York 10595
(914) 741-6100 (Telephone)
(914) 741-0025 (Facsimile)
wborgeest@kbrlaw.com
jgilbride@kbrlaw.com
rbenjamin@kbrlaw.com

## Attorneys for Axis Reinsurance Company

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	Y
AXIS REINSURANCE COMPANY,	: No. 07-CV-07924-GEL
Plaintiff, v.	; ;
PHILLIP R. BENNETT, et al.,	· '
Defendants.	; ;
	X
In re	Chapter 11
REFCO, INC., et al.,	: Case No. 05-60006-RDD
Debtors.	: Jointly Administered
	X
AXIS REINSURANCE COMPANY,	: Adv. Proc. No. 07-01712-RDD
Plaintiff, v.	: :
PHILLIP R. BENNETT, et al.,	· : :
Defendants.	: :

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	w w w w w w w w w w w w w w w w w w w	X	
TONE N. GRANT, et al.,		: :	Adv. Proc. 07-02005-RDD
v.	Plaintiffs,	: : :	
AXIS REINSURANCE CC	MPANY,	; ;	
	Defendant.	: :	
		: X	
LEO R. BREITMAN, et al.	,	:	Adv. Proc. No. 07-02032-RDD
v.	Plaintiffs,	: :	
AXIS REINSURANCE CO	MPANY,	; ;	
	Defendant.	; ;	
		: : X	
AXIS REINSURANCE CO		:	(1) No. 07-CV-09420-GEL
v.	Plaintiff,	: :	(2) No. 07-CV-09842-GEL (3) No. 07-CV-10302-GEL
PHILLIP R. BENNETT, et	al.,	:	
	Defendants.	:	
		X	
TONE N. GRANT, et al.,		: :	No. 07-CV-09843-GEL
v.	Plaintiffs,	: :	
AXIS REINSURANCE CO	MPANY,	; ;	
	Defendant.	: :	
		: X	

I, Joan M. Gilbride, declare under penalty of perjury that the following declaration is true and accurate and made based on my personal knowledge except where otherwise stated:

- 1. I am a member of Kaufman Borgeest & Ryan LLP, attorneys for plaintiff
  Axis Reinsurance Company ("Axis") in this action.
- 2. This Declaration submits true and accurate copies of documents in support of Appellant Axis's Motion for a Stay of the Bankruptcy Court's Order Granting Summary Judgment Requiring Axis to Advance Defense Costs Prior to an Adjudication of Coverage.
- 3. Attached as Exhibit A is the March 6, 2006 letter from Wayne E. Borgeest to Pam Sylwestrzak.
- 4. Attached as Exhibit B is a true and accurate copy of Axis's Securexcess Policy RNN 506300 (the "Axis Policy").
- 5. Attached as Exhibit C are true and accurate copies of the August 31, 2007

  Orders of Judge Robert D. Drain granting Insureds' Application for a Preliminary

  Injunction Ordering Advancement of Defense Costs by Axis and granting Insureds'

  Motion to Dismiss the Axis Complaint.
- 6. Attached as Exhibit D is a true and accurate copy of the October 19, 2007 Order of Judge Robert D. Drain granting Insured's Summary Judgment Motions and ordering the advancement of Defense Costs.
- 7. Attached as Exhibit E is the Information to which Santo C. Maggio allocuted to on December 19, 2007.

8. Attached as Exhibit F is the Santo C. Maggio Plea transcript of December 19, 2007.

- 9. Attached as Exhibit G is a true and accurate copy of U.S. Specialty Insurance Company Directors, Officers and Corporate Liability Insurance Policy 24-MGU-05-A10821.
- 10. Attached as Exhibit H is a true and accurate copy of the transcript of the August 30, 2007 oral argument on the Application for a Preliminary Injunction Ordering Advancement of Defense Costs and Motion to Dismiss.

I hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated: Valhalla, New York January 14, 2008

Joan M. Gilbride

KAUFMAN BORGEEST & RYAN LLP

200 Summit Lake Drive

Valhalla, New York 10595

(914) 741-6100 (Telephone)

(914) 741-0025 (Facsimile)

jgilbride@kbrlaw.com